

MR FILE  
JACK QUINN

Eric Hilder »

Did research. Russian  
people did neg. - But  
they were cooperating and  
agreed to coop.

Deard?

Yeah, think so. We're all  
sympathetic. Equities on your  
side.

talked about it last night.

got wanted @ 3x

MSW → Reno

# PRIVILEGE LOG

Arnold & Porter

3/27/01

NO.	DATE*	DOCUMENT TYPE	AUTHOR/SENDER	ADDRESSEES	DESCRIPTION/TOPIC	PRIVILEGE
1.	2/91	Law Review Article	Daniel Kobil, Capital University Law School	N/A	Legal Research re: Pardon Power	Attorney Work Product
2.	Spring 1997	Law Review Article	Ashley M. Steiner, Emory Law School	N/A	Legal Research re: Pardon Power	Attorney Work Product
3.	12/97	Memo (faxed on 1/20/00 by Jack Quinn to Kathleen A. Behan)	N/A	N/A	Legal Strategy re: Resolution of Indictment	Attorney Work Product
4.	3/12/99	Memo w/ marginalia	Carol Fischer of Piper, Marbury Rudnick and Wolfe	Robert Fink	Legal Strategy re: Pardon Power	Attorney Work Product
5.	2/16/00	Fax	Kathleen A. Behan	Robert Fink	Legal Strategy re: Resolution of Indictment	Attorney Work Product
6.	2/28/00	Fax	Jack Quinn	Kathleen A. Behan	Legal Strategy re: Resolution of Indictment	Attorney Work Product
7.	2/28/00	Fax with marginalia	Jack Quinn	Kathleen A. Behan	Legal Strategy re: Resolution of Indictment	Attorney Work Product
8.	12/5/00	Article	P.S. Ruckman, Jr.	N/A	Legal Research re: Clemency Power	Attorney Work Product
9.	12/5/00	Article	P.S. Ruckman, Jr.	N/A	Legal Research re: Clemency Power	Attorney Work Product
10.	12/5/00	Article	P.S. Ruckman, Jr.	N/A	Legal Research re: Clemency Power	Attorney Work Product
11.	12/5/00	Article	Ellen Sung,	N/A	Legal Research re:	Attorney Work Product

NO.	DATE*	DOCUMENT TYPE	AUTHOR/SENDER	ADDRESSEES	DESCRIPTION/TOPIC	PRIVILEGE
			Policy.com		Clemency Power	
12.	12/5/00	Article	P.S. Ruckman, Jr. David Kincaid	N/A	Legal Research re: Clemency Power	Attorney Work Product
13.	12/5/00	Website	N/A	N/A	Legal Research re: Pardon Power	Attorney Work Product
14.	12/5/00	Website	N/A	N/A	Legal Strategy re: Pardons	Attorney Work Product
15.	12/5/00	Website	N/A	N/A	Legal Strategy re: Pardons	Attorney Work Product
16.	12/5/00	Website	N/A	N/A	Legal Strategy re: Pardons	Attorney Work Product
17.	After 1/20/01 (precise date unknown)	Notes	Kathleen A. Behan	N/A	Post-pardon Legal Strategy	Attorney Work Product

\* NOTE REGARDING DATE: Items 8-10 and 12-16 on this log are articles or website printouts, and their creation date is unknown. To assist the Committee, we have provided the date that the document was printed, which indicates when the document came into Arnold & Porter's possession. (Item 11 is an article that was printed on December 5, 2000, and written on August 31, 1999.) As for the articles reflected in items 1 & 2, we have provided the dates that the articles were created; the dates that they came into Arnold & Porter's possession are unknown.

**Fink, Robert - NY**

---

From: Fink, Robert - NY  
Sent: Wednesday, February 09, 2000 3:48 PM  
To: 'Jack Quinn'  
Cc: 'Kitty Behan'  
Subject: RE:

I briefed Marc and he is awaiting word on your call. (I have also sent Avner a briefed email letting him know of the current status.) I also told Marc that I would discuss with you and Kitty your views on the second option (whether there is any reason to consider it, or whether what happened here made it so unlikely that you did not think it worthwhile, as I told him that you would not work on it unless you thought there was some possibility of success). He was curious as to your thinking. I told him I would also check on your thinking on what Avner was doing. But let's see what Eric says. Bob

REDACTED

REDACTED

REDACTED

>

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> The e-mail address and domain name of the sender changed on November 1, 1999. Please update your records.

>

> The information contained in this communication may be confidential, is intended only for the use of the recipient named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination,

PMR&W 00695

PENGAD-Bayonne, N. J.

EXHIBIT

58

2/14/2020

REDACTED  
REDACTED

REDACTED

REDACTED

PMR&W 01202

EXHIBIT

REDACTED

BB Gershon. Letter redaction  
Answer letter -

Get retired judge to write major article  
Hypothetical

Over zealous prosecutors dropped away  
The revengeful closure.

Pardon - mid to late Nov.

B - in trouble

Use for professor

Opika - hypothetical

PMR&W 01203

Judiciary Committee

→ (1) Page with w (B) do without he - had  
OR NY lawyers - get agreement  
+ Per pres SMY, Judiciary, pardon.

Fink, Robert - NY

---

From: Fink, Robert - NY  
Sent: Monday, March 20, 2000 10:46 AM  
To: 'Avner Azulay'  
Subject: RE: JQ+MS etc.

Thanks. I too spoke to JQ after you and he told me about Denise. Let's see how his visit with Zvi goes and what EH's research shows. I assume you are keeping MR up to date, as I had nothing real to report.  
Best regards, Bob

-----Original Message-----

From: Avner Azulay  
Sent: Saturday, March 18, 2000 2:11 AM  
To: robert.fink  
Subject: JQ+MS etc.

I had a long talk with JQ and Michael. I explained why there is no way the MOJ is going to initiate a call to EH - a minister calling a second level bureaucrat who has proved to be a weak link. We are reverting to the idea discussed with Abe - which is to send DR on a "personal" mission to N01. with a well prepared script. IF it works we didn't lose the present opportunity - until now - which shall not repeat itself. If it doesn't - then probably Gershon's course of action shall be the one left option to start all over again. This is only for your info. Regards-AA

PMR&W 00729

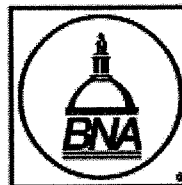
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Number of Pages: 2

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Washington, DC 20515

Secretary of the Senate  
Office of Public Records  
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Washington, DC 20510

SECRET

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## LOBBYING REGISTRATION

Lobbying Disclosure Act of 1995 (Section 4)

Check if this is an Amended Registration ☐

1. Effective Date of Registration \_\_\_\_\_

2. House Identification Number \_\_\_\_\_

Senate Identification Number \_\_\_\_\_

### REGISTRANT

3. Registrant name Zvi Rafiah

Address Asia House, 4 Weizman Street

City Tel Aviv State Israel Zip 642

4. Principal place of business (if different from line 3)

City \_\_\_\_\_ State/Zip (or Country) \_\_\_\_\_

5. Telephone number and contact name

( ) 972-3-6950535 Contact Zvi Rafiah E-mail (optional) \_\_\_\_\_

6. General description of registrant's business or activities

Consultant

**CLIENT** *A Lobbying firm is required to file a separate registration for each client. Organizations employing in-house lobbyists labeled "Self" and proceed to line 70.* ☐ Self

7. Client name Elisra Electronic Systems Ltd.

Address 48 Mivtza Kadash Street

City Bene Berak State Israel Zip 51203

8. Principal place of business (if different from line 7)

City \_\_\_\_\_ State/Zip (or Country) \_\_\_\_\_

9. General description of client's business or activities

Developing and manufacturing of electronic warfare

EXHIBIT



**Fink, Robert - NY**

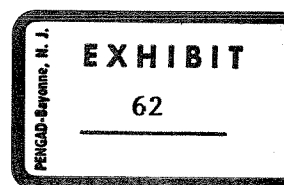
**From:** Fink, Robert - NY  
**Sent:** Tuesday, December 26, 2000 12:14 PM  
**To:** 'Jack Quinn'  
**Cc:** 'Gershon Kekst'

As you know, Gershon asked Bill Barr for advice in this matter over a year ago, and he (Barr) thought it paid to wait for the new administration and the retiring of several of the then current players. At the time Barr even made a phone call to find out the then current status of the matter.

Gershon would will happy to call him again to see if he could be insightful or helpful but wanted your reaction before considering the call.

Again, he was on the other side of the aisle and has been out for a long time. What do you think?

Bob



FAX to BETH NOLAN  
This is FYE, further  
to the point that  
no one else was  
prosecuted - JQ

MEMORANDUM

TO: Scooter Libby  
FROM: Mark Ehlers  
DATE: June 10, 1988  
RE: Review of DOE Administrative and DOJ Criminal Enforcement Proceedings

The following statements may be made in good faith to the U.S. Attorney's Office:

"Our firm has attempted an exhaustive search of all identifiable DOE administrative and DOJ criminal enforcement actions against crude oil resellers and producers for alleged violations of DOE pricing laws from 1973-1981.<sup>1</sup>

1. Counts in the Indictment

"We have uncovered no case in which a jail sentence has been imposed for a willful violation of the PAM regulations, the conduct for which MR and PG have been indicted.<sup>2</sup> All criminal

<sup>1</sup> With the aid of the responsible office in DOE, we have identified 48 criminal enforcement proceedings against crude oil resellers, which we believe to be the universe of cases brought against crude oil resellers by U.S. Attorney's Offices throughout the country. In addition, we have identified four criminal cases brought against crude oil producers. Of these, we have found two, both of which involve miscertification. Our search requests in the relevant district courts with respect to the remaining two producer cases continues. Accordingly, we are unable at this time to make any representations with respect to criminal producer cases.

<sup>2</sup> Of the 48 criminal reseller cases we have uncovered, we know  
(Footnote Continued)

reseller cases in which the defendant served some time in prison involved charges of willful miscertification. MR and PG are not accused of willful miscertification.<sup>3</sup>

"Indeed, only one criminal case has been instituted against resellers for a markup violation, and this case is readily distinguishable from the case brought against MR and PG.<sup>4</sup> All

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(Footnote Continued)

the dispositions of 45. In fourteen cases, the defendant served some time in prison. However, all of those cases involved willful miscertification (resulting in charges under 18 U.S.C. §§ 371, 1001, and/or 1341).

As for the three cases in which we do not have any court papers, we have been instructed by Avrom Landesman, former chief enforcement officer at DOE, that two of those cases, both involving companies, are not in any way similar to this case, and that the third case involved miscertification. Consequently, though we do not know the dispositions of those three cases, we have reliably been told that they are not relevant to the disposition of this case. To the extent that any of these cases resulted in jail time, it would have been in the miscertification case, because the other two cases were brought against companies, not individuals.

Of the remaining 31 criminal reseller cases, we are confident, based on our discussions with Mr. Landesman and our own independent review, that with one possible exception, (discussion in text and in footnote below), none involved charges similar to those asserted against MR and PG.

<sup>3</sup> The U.S. Government has expressly represented that after making a full and complete investigation of the crude oil transactions involving MR companies, it concluded that the evidence did not support charges of willful miscertification.

<sup>4</sup> That case involved three companies (Coral Petroleum, Coastal States, and Holborn Oil) and three individuals (Oscar Wyatt, David Chalmers, and Sam Willson, Jr.); it thus actually constitutes six of the 48 criminal reseller cases we have identified. The alleged scheme in that case involved a loophole in the energy regulations that restricted the permissible profit to \$.04/bbl that could be earned by Wyatt's company, Coastal, on each resale of crude oil. These same regulations, however, allowed Chalmers' company, Coral,  
(Footnote Continued)

other PAM violations have been brought civilly.

"We have identified 54 civil cases alleging PAM violations, but all of these cases are factually distinguishable. Specifically, in all of the civil PAM cases previously initiated by DOE, the income was earned from wholly domestic reselling activity; in none of those cases was there a colorable claim that the revenue should be properly allocated to offshore entities or was attributable to foreign oil transactions."

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(Footnote Continued)

to take a profit of over \$3.20/bbl. Coastal sold crude to Coral, which resold to a third party, with each company charging its "maximum lawful selling price." Coral would then kickback all but \$.10/bbl of its profit to Coastal by engaging in offshore transactions with Holborn (a subsidiary of Coastal). Coral purchased from Holborn foreign crude that was designated for a third party in the United States. Coral's purchase price from Holborn was inflated by the amount of the kickback. Coral then resold the oil to Holborn's designated customer in the United States at the customers' contract price.

After an extensive audit of Coastal and Coral, the two companies pleaded guilty (Holborn pleaded nolo contendere) to one count criminal informations alleging a violation of 18 U.S.C. § 1001. Holborn paid a fine of \$1 million, while Coastal and Coral each paid fines of \$9 million. Wyatt, Chalmers, and Willson pleaded guilty to a one count information alleging a willful violation of 15 U.S.C. § 754(a)(3)(B)(i) (the EPAA enforcement provision). They each paid the maximum penalty of \$40,000, but served no time in jail.

Therefore, in the one case that involved a markup violation, none of the defendant's served any time in prison. It should be noted, as well, that the Wyatt/Chalmers scheme did not involve a first-leg, offshore tie-in, a factor which does exist in the MR and PG case. Indeed, this factor provides the key distinction between the Wyatt/Chalmers scheme and this case, and is what makes the transactions in our case lawful. The defendants in the Wyatt/Chalmers case did not have a colorable claim, as exists in this case, that the profits were properly attributable to the foreign oil transactions and thus should not have been reported.

2. Other Potentially Criminal Conduct (Posted Price Violations)

We have no reason to believe that MR and PG are suspected of any criminal conduct not already included in the indictment. Indeed, the U.S. Attorney's Office for the Southern District of New York has expressly represented that, based on its own 2½ year investigation, "there is no basis for seeking additional indictments of the defendants in this case . . . ."5

Nevertheless, we have considered whether there would be criminal vulnerability for posted price violations. We could make the following statement, if pressed, in this area:

"We know of no case where a buyer, such as MRI(Zug) or AG, has been charged civilly or criminally with a violation of the posted price rules. We have uncovered no criminal prosecutions of producers based on a posted price violation [but see footnote 1]. All such posted price violations by producers<sup>6</sup> have been brought civilly.<sup>7</sup> In the leading case along these lines [Getty Oil], DOE

5 Memo to File from Rudolph W. Giuliani, U.S. Attorney  
(S.D.N.Y.) (Aug. 31, 1984).

6 We have identified 123 administrative enforcement actions, which we believe to be the universe of cases brought by DOE against crude oil resellers and producers. Eleven cases involved alleged violations by the seller of the maximum lawful selling price rule, resulting in the disgorgement of profits and/or the payment of civil fines. No such case has ever been pressed against a buyer.

7 One such case was brought against Arco and involved some transactions with MR entities. A PRO was issued, and ARCO paid civil fines for violating the MLSP (or posted-price) rules as a

(Footnote Continued)

first brought a case against the reseller, but then dismissed that case and successfully brought a claim against the producer."

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(Footnote Continued)

crude producer. Although DOE was fully aware of MR's involvement on the purchasing side of some of those transactions, DOE never initiated any action against MR for those deals. Furthermore, Arco was clearly the more significant "violation" of the posted price rules, receiving consideration far in excess of that permitted for the first sale of domestic price-controlled crude oil. But Arco only paid civil fines, and no one at Arco was ever prosecuted criminally for those transactions.

ADDENDUM

The two criminal producer cases for which our search requests have so far been unsuccessful involve the following parties:

- (1) Don E. Pratt
- (2) Ernest & Charles Allerkamp

The three criminal reseller cases we have been unable to locate, but which Avrom Landesman provided us with certain information, involved the following parties:

- (1) The Crude Company
- (2) West Refining, Inc. (entitlement case)
- (3) Ted True (miscertification case)

GEORGETOWN UNIVERSITY LAW CENTER  
WASHINGTON, D.C. 20001

MARTIN D. GINSBURG  
PROFESSOR OF LAW

(202) 639-7030  
(202) 662-9077

February 12, 2001

The Honorable Dan L. Burton, Chairman  
Committee on Government Reform  
2157 Rayburn House Office Building  
Washington, D.C. 20515-6143

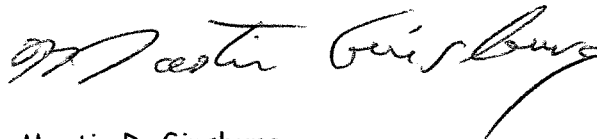
Dear Congressman Burton:

I write in response to your letter of February 6, 2001 in which you ask about work done by me and Professor Wolfman that is reflected in the document dated December 7, 1990 to which your letter refers.

On May 14, 1986 I was consulted by Leonard Garment and I. Lewis Libby on behalf of Dickstein, Shapiro & Morin, a Washington D.C. law firm in which Messrs. Garment and Libby were then partners, and asked to provide federal tax analysis. I am Of Counsel to the law firm of Fried, Frank, Harris, Shriver & Jacobson, and it was the Fried, Frank firm that was retained and compensated by Dickstein, Shapiro & Morin. In working on the matter I consulted with and was assisted by other Fried, Frank attorneys.

For the period May 14, 1986 through December 31, 1990 Fried, Frank was compensated by the Dickstein firm in the total amount of \$66,199. Of that total \$43,980 reflected time invested by me. Over the period my time was billed at regular hourly rates of initially \$300, later \$350, and later still \$400. Other attorneys who worked on the matter were billed at their regular hourly rates which varied from \$175 to \$300.

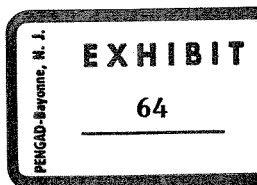
Sincerely,



Martin D. Ginsburg

MDG:mlw

cc: Honorable Henry A. Waxman  
Ranking Minority Member





BERNARD WOLFMAN

(617) 495-4623

HARVARD LAW SCHOOL  
CAMBRIDGE, MASS. 02138

February 8, 2001


The Honorable Dan Burton, Chairman  
Committee on Government Reform  
2157 Rayburn House Office Building  
Washington, DC 20515-6143

Dear Congressman Burton:

My work on the legal analysis to which you have referred in your letter of February 6, 2001 began on February 9, 1988 when I was retained as a tax law consultant by the Washington, D.C. law firm, Dickstein, Shapiro & Morin, by two of its partners, Leonard Garment, Esquire and I. Lewis Libby, Esquire.

Professor Ginsburg and I completed our analysis and set it forth, together with our conclusions, in the document of December 7, 1990 to which you have referred. From February 9, 1988 through December, 1990 I received compensation for my services from the Dickstein firm in the total amount of \$30,754.77. For most of that period I was compensated at the rate of \$250 an hour; for the balance of the period, at the rate of \$300 an hour.

Sincerely yours,

  
Bernard Wolfman

cc. Hon. Henry A. Waxman  
Ranking Minority Member

EXHIBIT

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BERNARD WOLFMAN

(617) 495-4623

HARVARD LAW SCHOOL  
CAMBRIDGE, MASS. 02138

December 7, 1990

Gerard E. Lynch, Esquire  
Chief, Criminal Division  
Office of the U.S. Attorney  
Southern District of New York  
U.S. Courthouse Annex  
One St. Andrews Plaza  
New York, NY 10007

Re: U.S. v. Marc Rich et al.

Dear Mr. Lynch:

As you know, Leonard Garment has retained Professor Martin D. Ginsburg and me to analyze the transactions which underlie the superseding indictment in this case, and to express our views as to their federal income tax consequences. Making no independent verification of the facts, but accepting the statements thereof made to us by Mr. Garment and others in his law firm after their extensive investigation, Professor Ginsburg and I have concluded that MRI correctly reported its income from those transactions and that a court, if called upon to decide the issue, would agree.

Our understanding of the facts and our legal analysis and conclusions are set forth in the form of Proposed Findings of Fact and Conclusions of Law which we enclose herewith. These are the Findings and Conclusions which we would request and expect a court to make if it were called upon to determine civil liability in this case.

Professor Ginsburg and I would be happy to discuss our views

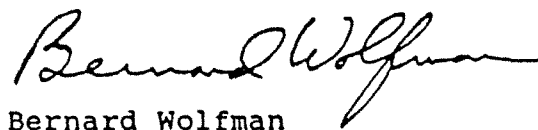
FD-302 (Rev. 11-1-83)

EXHIBIT

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with you at your convenience and hope you will afford us the opportunity to do so.

Sincerely,



Bernard Wolfman

cc. Professor Martin D. Ginsburg  
Leonard Garment, Esquire



JQuinn@ [REDACTED] on 12/29/2000 07:00:13 PM

To: Kathleen Behan/Atty/DC/ArnoldAndPorter@[REDACTED]  
cc:

Subject: RE: 5 Yr Ban Reversed

---

thx. what do you think our chances really are for marc? the hardest question, i think, is "if you're right about the weakness of the govts case, why not go to ct and win?" the answr, i guess is that he couldn't have gotten a fair trial, but that was 18 yrs ago. couldn't he get one now? isn't that the way this shd go? these are tough questions, but i guess we have decent answers.

-----Original Message-----

From: Kathleen Behan@[REDACTED]  
To: JQuinn@[REDACTED]  
Sent: 12/29/00 2:31 PM  
Subject: 5 Yr Ban Reversed

----- Forwarded by Kathleen  
Behan/Atty/DC/ArnoldAndPorter on  
12/29/2000 02:21 PM -----

Ronald Schechter  
12/29/2000 02:15 PM

To: lateral, ethics, Jayne Anderson Risk@Baltimore  
cc:

Subject: 5 Yr Ban Reversed

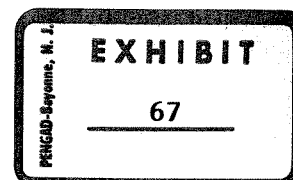
This may be old news, but this appeared in today's Post

Clinton Reverses 5-Year Ban On Lobbying by Appointees

By John Mintz  
Washington Post Staff Writer  
Friday, December 29, 2000; Page A31

President Clinton yesterday revoked an executive order he signed on his first day in office in 1993 that barred senior officials of the White House and other agencies from lobbying former colleagues for five years.

Lifting the five-year ban on lobbying means Clinton's top subordinates,



KB 00037



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HENRIETTA SZOLD  
IN 1912

December 7, 2000

The Honorable William Jefferson Clinton  
The President of the United States  
The White House  
Pennsylvania Avenue  
District of Columbia  
U.S.A.

Dear President Clinton,

I am writing to you on behalf of Mark Rich's request for executive clemency. As you know, I am the Immediate Past International President of Hadassah, The Women's Zionist Organization of America and the present Chairperson of Birthright Israel North America who will bring 10,000 North American young men and women ages 18 to 26 to Israel this January and February.

In my leadership capacities over the past 10 years I have come to know Mr. Rich as a generous supporter of humanitarian projects. In particular his philanthropy provides research and health care through the Hadassah Medical Organization to Muslims, Christians, Druz and Jews in Israel and other areas of the Middle East. The tragic loss of his daughter to leukemia coupled with the denial of a last visit before her death has increased his resolve to help find a cure for the fatal disease. Mr. Rich's generosity has been effective and meaningful. I have met him and found that he is not only philanthropic but also very caring of the people he hopes he can serve through his anonymous gifts.

Mr. Rich has made possible a large part of the Birthright Israel program. He personally was present to see the thousands of young men and women at a celebration of the program in Israel. Again, he did not seek recognition but wanted to see the faces of the young people who participated. He was so very moved by everyone!

I see Mr. Rich as a man who has spent these last 18 years rebuilding his positive connection to the world at large through kindness, caring and generosity. His enormous number of quiet activities to improve the quality of people's lives because he cares deeply has made a lasting impression on me. I am writing to you because I believe he has paid his debt to society and has earned the respect of so many of his peers and others who

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PERCUT-Beyene, N. J.

know him. I completely support his request for clemency and hope you will consider it.  
Please know I am very appreciative of your review of this letter.

With the deepest admiration and respect for my President,

I remain sincerely,

A handwritten signature in cursive script, reading "Marlene Post". The signature is fluid and elegant, with a large initial "M" and a long, sweeping underline.

Marlene E. Post  
Immediate Past International President, Hadassah  
Chairperson, Birthright Israel, North America

---

Fink, Robert - NY

From: Avner Azulay [azulrich@ ]  
Sent: Monday, January 22, 2001 7:03 PM  
To: Jack Quinn; 'Fink, Robert - NY'; 'Kitty Behan'; 'Mike Green'; 'Gershon Kekst'  
Cc: 'Marc Rich'  
Subject: Re:

Pse keep barak out of the media. We have enough names on the list other than his. Important to keep all politicians out of the story. Pse share with me the inclusion of any one on the list. This is election time here and has a potential of blowup. A newsweek reporter here has already asked if there were any political contributions. Other than that I thought we agreed that all inquiries, interviews should be channeled to gershon. Why is BF giving interviews? He shouldn't be dealing with this aspect..

----- Original Message -----

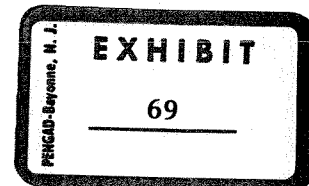
From: Jack Quinn <JQuinn@ >  
To: 'Fink, Robert - NY' <robert.fink@ >, 'Avner Azulay' <azulrich@ >, 'Kitty Behan' <Kathleen\_Behan@ >  
Jack Quinn <JQuinn@ >, 'Mike Green' <GreenM@ >  
'Gershon Kekst' <gershon-kekst@ >  
Cc: 'Marc Rich' <marc.rich@ >  
Sent: Tuesday, January 23, 2001 12:03 AM  
Subject: RE:

> I would say that a vast range of people spoke up for marc, including people  
> familiar with his case, his personal life and his good works. I would refer  
> them hen to the formal filings. I continue to believe it important that we  
> let people see that we made a great case on the merits. And, they should  
> know marc was represented by prominent republicans over the years. P.S.  
> just spoke to holder. said i did a very good job and that he thinks we shd  
> be better about getting the legal merits of the case out publicly. i  
> assured him we were and that we were letting the press see the petition and  
> attachments. he was unsure about how to get indictment dismissed and travel  
> restrictions lifted -- said after a few days and after we have individual  
> warrant in hand we shd contact SDNY to discuss -- if they say they wil do  
> nothing, we move in ct to both dismiss and have ins, interpol, etc notified.  
> he also thinks we shd make public our commitment to waive defenses to civil  
> penalties at doe and tthe support of barak.

> -----Original Message-----

> From: Fink, Robert - NY [mailto:robert.fink@ ]  
> Sent: Monday, January 22, 2001 4:12 PM  
> To: 'Avner Azulay'; 'Kitty Behan'; 'Jack Quinn'; 'Mike Green'; 'Gershon  
> Kekst'  
> Cc: 'Marc Rich'  
> Subject:

>  
> I have been asked who lobbied the President in behalf of Marc ( and P... )  
> and said it may be private and therefore did not immediately respond.. May  
> I? Who should I say? I have told everyone that Denise was in favor of the  
> resolution of this case and was in favor of the pardon. I am trying to reach  
> her to let her know what I have said. Otherwise, I will keep calling people  
> back. So far it has been a full time job today.  
> Marc, I was asked who handled the divorce for you in Switzerland. I think  
> Andre. OK to give his name if pursued?





# SACRED HEART UNIVERSITY

November 27, 2000

Mr. Marc Rich  
Villa Rose  
Kleinaumatt 9  
6045 Meggen  
Switzerland

Dear Mr. Rich:

I wish to express my deepest appreciation for your on-going support for our program of Christian-Jewish understanding.

Your generous and kind contributions have enabled us to increase our conferences and publications that embody the philosophy of harmony and cooperation between various religious groups. This philosophy is the backdrop of our theme: "World peace is the ultimate goal we must work toward. We cannot have world peace without religious peace. We cannot have religious peace without religious dialogue."

Your interest, loyalty and support encourage us in pursuing the arduous task of inter-religious dialogue, which seems to become more and more so every day.

Please be assured of my best wishes for continued success, and, again – many thanks!

Sincerely,

Anthony J. Cernera, Ph.D.  
President

AJC/gd



**List of Letters of Support  
for Marc Rich and Foundation**

Roni Milo	Minister of Health Former Mayor of Tel Aviv
Dr. Gen. (res.) Ephraim Sneh	Deputy Minister of Defense and Former Minister of Health
Ron Huldai	Mayor of Tel Aviv-Jaffa
Shulamit Aloni	Former Minister of Education and Culture Former Minister of Science and Knesset Member
Arieh Shur	Vice President for External Affairs, Ben-Gurion University of the Negev
Dr. Riyad Zanon	Minister of Health, Palestinian National Authority
Isaac Herzog	The Government Secretary, Israel
Teddy Kollek	Former Mayor of Jerusalem
Gen (res.) Shlomo Lahat	Former Mayor of Tel Aviv Chairman of the Peace & Security Council
Zubin Mehta	Maestro & Musical Director The Israel Philharmonic Orchestra
Prof. Avi Israeli	CEO, Hadassa Medical Organization, Jerusalem
Prof. Shlomo Mor-Yosef	CEO, Soroka University Medical Center, Beer-Sheva
Dr. Dan Oppenheim	CEO, Rabin Medical Center, Petach Tikva
Prof. Jonathan Halevy, M.D.	CEO, Shaare Zedek Medical Center, Jerusalem
Prof. Yair Reisner	Head, Gabrielle Rich Center for Transplantation Biology Weizmann Institute of Science, Rehovot

**Letters Expressing Support for the  
Pardon of Mr. Marc Rich**

Roni Milo	Minister of Health Former Mayor of Tel Aviv
Dr. Gen. (res.) Ephraim Sneh	Deputy Minister of Defense and Former Minister of Health
Ron Huldai	Mayor of Tel Aviv-Jaffa
Shulamit Aloni	Former Minister of Education and Culture Former Minister of Science and Knesset Member
Arieh Shur	Vice President for External Affairs, Ben-Gurion University of the Negev
Dr. Riyad Zanoun	Minister of Health, Palestinian National Authority
Isaac Herzog	The Government Secretary, Israel
Teddy Kollek	Former Mayor of Jerusalem
Gen (res.) Shlomo Lahat	Former Mayor of Tel Aviv Chairman of the Peace & Security Council
Zubin Mehta	Maestro & Musical Director The Israel Philharmonic Orchestra
Prof. Avi Israeli	CEO, Hadassa Medical Organization, Jerusalem
Prof. Shlomo Mor-Yosef	CEO, Soroka University Medical Center, Beer-Sheva
Dr. Dan Oppenheim	CEO, Rabin Medical Center, Petach Tikva
Prof. Jonathan Halevy, M.D.	CEO, Shaare Zedek Medical Center, Jerusalem

**EXHIBIT**

**72**

PERC-AD-Seyone, N. J.

DENISE RICH  
[REDACTED]  
[REDACTED]

December 6, 2000

President William Jefferson Clinton  
The White House  
1600 Pennsylvania Avenue  
Washington, D.C.

Dear Mr. President:

I am writing as a friend and an admirer of yours to add my voice to the chorus of those who urge you to grant my former husband, Marc Rich, a pardon for the offenses unjustly alleged and so aggressively pursued in the 1983 indictment by U.S. Attorney for the Southern District of New York Rudolph Giuliani.

I support his application with all my heart. The pain and suffering caused by that unjust indictment battered more than my husband -- it struck his daughters and me. We have lived with it for so many years. We live with it now. There is no reason why it should have gone on so long. Exile for seventeen years is enough. So much of what has been said about Marc as a result of the indictment and exile is just plain wrong, yet it has continued to damage Marc and his family.

Because of the indictment, I have seen what happens when charges are falsely -- even if just incorrectly -- made against those closest to you, and what it feels like to see the press try and convict the accused without regard for the truth. I know the immense frustration that comes when the prosecutors will not discuss their charges, and when no one will look at the facts in a fair way. My husband and I could not return to the United States because, while the charges were untrue, no one would listen -- all the prosecutors appeared to think about was the prospect of imprisoning Marc for the rest of his life. With a life sentence at stake, and press and media fueled by the U.S. Attorney, we felt he had no choice but to remain out of the country.

Let no one think exile for life is a light burden. The world we cared about was cut off from us. When our daughter was dying from leukemia, Marc was cruelly denied the opportunity to see her by the prosecutors.

What was this exile for? The charges all relate to old energy regulations, where all of the other people and companies involved in the same kinds of transactions were never charged with a crime. Only my husband was treated differently. He was wrongly charged with "trading with the enemy" and being a "racketeer." With the prosecution talking to the press, no wonder it was

EXHIBIT

73

PERGAD-Beyenne, H. J.

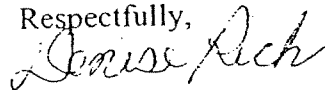
so hard to get anyone to think that Marc was not a criminal. I can tell you, he did not get the benefit of the doubt. His innocence was never presumed. There has been nothing quite like this case -- it is unique.

I saw many of his efforts to seek a resolution. I saw effort after effort fail. There should never be prosecutors who refuse to discuss the truth of their charges.

The pardon application is the last resort. It is also appropriate, as Marc has made the lives of countless others better. I know his contributions because I worked with him on the Rich Foundation. I know that he has a good and giving heart and has helped thousands of people who never heard of him. He wanted it that way. His dedication to charitable causes and his generosity are models. We should not cut ourselves off from someone whose contributions to those in need are a credit to humanity.

You have the power in this matter not just to show mercy, but to do justice. I believe with all my heart that this is the right thing to do.

Respectfully,

A handwritten signature in cursive script that reads "Denise Rich". The signature is written in dark ink and is positioned above the printed name.

Denise Rich

---


1088

DENISE RICH

DATE July 15, 88 1-482/210  
BRANCH 211

PAY TO THE  
ORDER OF

Clinton Library Fund \$ 250,000

Two Hundred and Fifty Thousand DOLLARS  Security features  
included. Details on back.



REPUBLIC NATIONAL BANK OF NEW YORK  
PRIVATE BANKING AND INVESTMENT DIVISION  
452 FIFTH AVENUE  
NEW YORK, NY 10018-2708  
BRANCH 211

FOR

Denise Rich

[REDACTED]

D. HARLAND

NOT A  
REDACTION

REDACTIONS

↑  
NOT A  
REDACTION

← NOT A  
REDACTION

EXHIBIT  
74  
PENCAID-Bayonne, N. J.

WJCPF 0002

CONFIDENTIAL

147

DENISE RICH

DATE: AUG 7, 1979

1-32/2-3  
BRANCH 211

William J. Clinton Building 100, 00

one hundred thousand dollars

REPUBLIC NATIONAL BANK OF NEW YORK  
PRIVATE BANKING AND INVESTMENT DIVISION  
452 FIFTH AVENUE  
NEW YORK, NY 10018-2706  
BRANCH 211

FOR: [REDACTED]

Signature: Denise Rich

WJCPF 0008

CONFIDENTIAL

DENISE RICH		5954
DATE <u>5-11-00</u>		1-482/210 BRANCH 211
PAY TO THE ORDER OF	<u>The William J. Clinton Presidential Fund</u>	\$ <u>100,000 -</u>
<u>One hundred thousand dollars only</u>		DOLLARS <input checked="" type="checkbox"/> <small>Security features included. Details on back.</small>
REPUBLIC NATIONAL BANK OF NEW YORK PRIVATE BANKING AND INVESTMENTS DIVISION 452 FIFTH AVENUE NEW YORK, NY 10018-2708 BRANCH 211		
FOR <u>Donation</u>	<u>Denise Rich</u>	

WJCPF 0031

DER

Dear Beth  
Thanks for  
your help  
Lots of love, Denise

Denise Rich

[REDACTED]

[REDACTED]

New York, NY

[REDACTED]

2/2/

[REDACTED]





robert.fink@piperrudnick.com on 11/19/2000 03:18:55 PM

To: jquinn@qamag.com, gershon-kekst@kekst.com, Kathleen Behan/Atty/DC/ArnoldAndPorter@APORTER  
cc: azulrich@arvisun.net

Subject: #761323 v1 - agenda

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Here is my draft agenda for Tuesday. It only looks long because of Item 3. Please let me know what else should be covered and I will circulate another copy -- assuming I receive comments. Bob

---

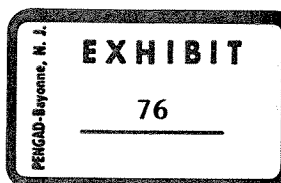
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Thank you.

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A0567

Agenda of 11/21/2000 Meeting

1. Overview of approach.
  - a. Reasons why it should be granted and why now.
  - b. Reasons why not it could not proceed through ordinary procedures.
  - c. Details of timing.
2. Mechanics of approach.
  - a. When to be made.
  - b. To whom.
  - c. By whom—initially.
  - d. By whom else (and to whom else).
3. Nature of documents to be included in the package.
  - a. Identification of each segment.
  - b. Assignment on drafting/reviewing/editing.
  - c. Consider dealing with usual criteria including:
    - i) MR's conduct, character and reputation;
    - ii) Seriousness and age of allegations.
    - iii) Acceptance of responsibility, remorse and atonement.
    - iv) Official recommendations and reports.
    - v) Specific need for relief.
    - vi) Factors which militate and favor of grant.
    - vii) Indications that activity under focus is truly aberrational.
    - viii) Evidence that the individual has clearly made sustained and significant contributions to the community.
  - d. Identification of person of high moral authority, identify who (singular and plural) will make the approach, and what support and assurances can or should be given.

4. Identification of potential supporters who will write letters.
  - a. Review of Avner's list.
  - b. Identify anyone who should send letters directly, rather than "To Whom It May Concern."
  - c. Need for one page description of approach. (Is this good? Dangerous? Required in all events?)
5. Prophylactic issues.
  - a. A need for secrecy and possibility/likelihood of potential leaks. (Kitty says people are watching this closely.)
  - b. Likely sources of counter-pressure? (a) press; (b) politicians; (c) governmental personnel; (d) institutional biases; (e) the Judge on the matter.
6. Maximizing use of Gershon.
7. Maximizing use of D.R. and her friends.
8. How to keep focused.
9. How to deal with P.G.



PIPER  
MARBURY  
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& WOLFE LLP\*

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New York, NY 10020-1104  
www.piperrudnick.com

PHONE (212) 835-6000  
FAX (212) 835-6001

ATTORNEY COPY

FED ID #52-0616490

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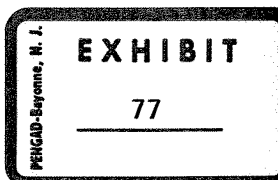
Marc Rich  
c/o Mr. Robert F. Fink  
Piper Marbury Rudnick & Wolfe L.L.P.  
1251 Avenue of the Americas  
New York, NY 10020

December 19, 2000  
Invoice #1096528

For professional services rendered through December 18, 2000

1980 Taxes

			<u>Hours</u>
12/01/00	R. Fink	Telephone conversation with Mr. A. Azulay; telephone conversation with Ms. K. Behan; telephone conversation with Mr. C. Man; conference with Mr. M. Hepworth; telephone conversation with Mr. Azulay; telephone conversation with Ms. I. Rich; telephone conversation with Mr. M. Green.	2.10
12/02/00	R. Fink	Work on Rich family letters.	1.00
12/03/00	R. Fink	Work on Foundation section, letters from family, main petition; telephone conversation with Mr. M. Green; conference with Mr. M. Hepworth; emails with Ms. K. Behan.	5.50
12/03/00	M. Hepworth	Legal research; review draft papers.	4.60
12/04/00	R. Fink	Telephone conversation with Ms. I. Rich; telephone conversation with Ms. D. Rich; conference with Ms. Denise Rich; telephone conversation with Mr. W. Ushman; work on papers; telephone	4.00



Fink, Robert - NY

From: Fink, Robert - NY  
Sent: Tuesday, December 19, 2000 10:06 AM  
To: 'Kitty Behan'; 'Jack Quinn'  
Cc: 'Avner Azulay'  
Subject: DR letter

I suggest something like this for Denise's cover letter to POTUS:

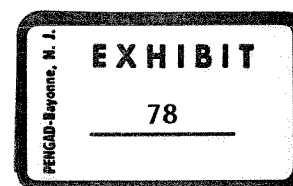
I recently wrote to you concerning the application for a pardon for my former husband, Marc Rich, but I know that my letter was included with many others which were written on his behalf.

Because I could not bear it were I to learn that you did not see my letter and at least understand my special person reasons for being a supporter of a pardon, I am sending you an additional copy, and an additional request that you wisely use your power to pardon Marc.

Thank you again for your consideration.

Respectfully,  
Denise Rich

PS to Avner: Jack thinks Denise should send another copy of her letter to the President to make sure he knows of her feelings. We will contact Denise today to ask her to do this.



## Fink, Robert - NY

**From:** Fink, Robert - NY  
**Sent:** Tuesday, December 19, 2000 10:17 AM  
**To:** Micciulli, Rosemary - NY  
**Subject:** FW: DR letter

Please prepare this with today's date.

-----Original Message-----

**From:** Jack Quinn [SMTP:JQuinn@  
**Sent:** Tuesday, December 19, 2000 10:10 AM  
**To:** 'Fink, Robert - NY'; 'Kitty Behan'; Jack Quinn  
**Cc:** 'Avner Azulay'  
**Subject:** RE: DR letter

perfect

-----Original Message-----

**From:** Fink, Robert - NY [mailto:robert.fink@  
**Sent:** Tuesday, December 19, 2000 10:06 AM  
**To:** 'Kitty Behan'; 'Jack Quinn'  
**Cc:** 'Avner Azulay'  
**Subject:** DR letter

I suggest something like this for Denise's cover letter to POTUS:

I recently wrote to you concerning the application for a pardon for my former husband, Marc Rich, but I know that my letter was included with many others which were written on his behalf. Because I could not bear it were I to learn that you did not see my letter and at least understand my special person reasons for being a supporter of a pardon, I am sending you an additional copy, and an additional request that you wisely use your power to pardon Marc. Thank you again for your consideration.  
Respectfully,  
Denise Rich

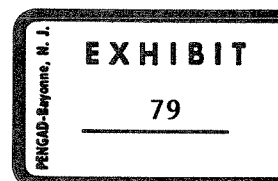
PS to Avner: Jack thinks Denise should send another copy of her letter to the President to make sure he knows of her feelings. We will contact Denise today to ask her to do this.

---

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Thank you.

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Fink, Robert - NY

---

From: Fink, Robert - NY  
Sent: Tuesday, December 19, 2000 11:20 AM  
To: 'Jack Quinn'  
Subject: RE: Denise

Thanks.

-----Original Message-----

From: Jack Quinn (SMTP:JQuinn@[REDACTED])  
Sent: Tuesday, December 19, 2000 11:11 AM  
To: 'robert.fink@[REDACTED]'  
Subject: Re: Denise

She shd hand it to him in sealed envelope and mention that she is aware I intend to discuss the matter with him personally. She shd simply ask him to read it later and let him know how strongly we feel that we have the merits on our side. I'm in a mtg but will try to call her later.

-----  
Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

